

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

GREGORY ROBINSON,)	
)	
Petitioner,)	
)	
Vs.)	No. 2:14-cv-02630-SHL-tmp
)	
BRUCE WESTBROOKS, Warden,)	
Riverbend Maximum Security)	
Institution,)	
)	
Respondent.)	

**PETITIONER'S MOTION FOR SUMMARY JUDGMENT ON GROUNDS 1-3 OF THE
PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Gregory Robinson moves this Court for summary judgment under Rule 56 of the Federal Rules of Civil Procedure as to the following claims raised in the Petition:

- **Ground No. 1** (Petition ¶¶ 40-99), the State's Violation of Gregory Robinson's Constitutional Rights by Eliciting and Failing to Correct Jarvis Shipp's False Testimony Denying That He Had Received Any Promises from the State;
- **Ground No. 2** (Petition ¶¶ 100-166), the State's Violation of Gregory Robinson's Constitutional Rights Under *Brady v. Maryland* By Withholding Shipp's November 5 Statement; and, in the alternative,
- **Ground No. 3** (Petition ¶¶ 167-76), Robinson's Trial Counsel Rendered Ineffective Assistance by Failing to Use Jarvis Shipp's November 5 Statement to Cross-Examine Him.

For the reasons stated in the accompanying Memorandum of Law and Statement of Facts Robinson is entitled to summary judgment in his favor on Grounds 1-3 of the Petition.¹

¹ In moving for summary judgment on these three grounds, Petitioner does not intend to waive, but rather expressly reserves, his right to relief under the other grounds set forth in the Petition.

Respectfully submitted,

/s Robert L. Hutton

Robert L. Hutton
Glankler Brown, PLLC
6000 Poplar Avenue
Suite 400
Memphis, TN 38119
Ph: 901-525-1322
Fax: 901-525-2389
rhutton@glankler.com

P. Benjamin Duke
Covington & Burling LLP
620 Eighth Avenue
New York, NY 10018
Ph: 212-841-1072
Fax: 646-441-9072
bduke@cov.com

Attorneys for Petitioner
GREGORY ROBINSON

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 2, 2016, a true and correct copy of the foregoing document was served by electronic means through the Court's ECF system on all parties of record, including counsel for Respondent, Jennifer L. Smith, Meredith Wood Bowen, and Michael Matthew Stahl.

/s Robert L. Hutton
Robert L. Hutton